



Response Under 37 CFR §1.116
Expedited Procedure
Examining Group 1614

CASE LA0046a CL

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John M. Kilcoyne
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John M. Kilcoyne
Signature

February 28, 2002
Date

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE APPLICATION OF

Art Unit: 1614

BETH ANNE PIPER

Examiner: R. Cook

APPLICATION NO: 09/460,920

FILED: DECEMBER 14, 1999

FOR: METHOD FOR TREATING DIABETES

Box AF
Assistant Commissioner for Patents
Washington, D.C. 20231

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AMENDMENT AFTER FINAL REJECTION

Sir:

In response to the Official Action mailed August 29, 2001, applicant requests that the above-identified application be amended as follows.

IN THE CLAIMS:

Please cancel claims 38-44, 55-57 and 61-70 without prejudice.

Please amend claims 37, 54, 71 and 72 as follows:

37. A method for first line treatment of type 2 diabetes, in a drug naive human patient, which comprises administering to a drug naive human patient in need of treatment, as first line therapy, a low dose of a combination of metformin and glyburide, wherein the metformin in said low dose combination is administered in a daily dosage in an amount within the range from about 160

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